

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S Docket NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

24900-501 NATL

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
10/069,210

INTERNATIONAL APPLICATION NO.
PCT/CA00/00974

INTERNATIONAL FILING DATE
22 August 2000 (22.08.2000)

PRIORITY DATE CLAIMED
23 August 1999 (23.08.1999)

TITLE OF INVENTION

RADIOACTIVELY COATED DEVICE AND METHOD OF MAKING SAME FOR PREVENTING RESTENOSIS

APPLICANT(S) FOR DO/EO/US

LECLERC, Guy; FAREH, Jeanette; LEBLANC, Phillippe; LEVESQUE, Luc; MARTEL, Remi; KUDREVICH, Svetlana; LAWRENCE, Marcus F.; BOURGUIGNON, Bernard; LESSARD, Jean; (cont. under item 23)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Additional Applicants: BLAIS, Sonia; CHAPUZET, Jean-Marc; MEUNIER, Michel; NAPPORN, Teko; POULIN, Suzie; SACHER, Edward; SAVADOGO, Oumarou.
Express Mail Label No. EL918131465US filed on 6 November 2002 (06.11.2002)
Notification of Missing Requirements Under 35 U.S.C. 371 with Response thereto; Petition for Extension of Time

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
10/069,210

INTERNATIONAL APPLICATION NO.
PCT/CA00/00974

ATTORNEY'S DOCKET NUMBER
24900-501 NATL

24. The following fees are submitted..

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =	0	x \$18.00
Independent claims	- 3 =	0	x \$84.00

Multiple Dependent Claims (check if applicable). ☐

TOTAL OF ABOVE CALCULATIONS =

- ☐ Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

TOTAL FEES ENCLOSED =

Amount to be:
refunded \$
charged \$

- a. ☒ A check in the amount of \$460.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0311 A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

ELRIFI, Ivor R.
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111
United States of America


SIGNATURE

MORENCY, Michel
NAME

50,183

REGISTRATION NUMBER

6 November 2002 (06.11.2002)

DATE



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/069,210	FIRST NAMED APPLICANT Guy Leclerc	ATTY. DOCKET NO. 24900-501NATL
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INTERNATIONAL APPLICATION NO.

PCT/CA00/00974

I.A. FILING DATE

PRIORITY DATE

08/22/2000

 Elrifi, Ivor R.
 Mintz Levin Cohn Ferris Glovsky and Popeo
 One Financial Center
 Boston, MA 02111
RECEIVED

MAY 13 2002

 MINTZ LEVIN, BOSTON
 PATENT DOCKET DEPT.

CONFIRMATION NO. 1816

371 FORMALITIES LETTER



OC00000008017607

Date Mailed: 05/07/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

<input checked="" type="checkbox"/> Data Entry	7/1, 2/11/02
<input checked="" type="checkbox"/> Docket Entry	
<input type="checkbox"/> Docket Cross Ref	
<input type="checkbox"/> Previously Entered	
<input type="checkbox"/> No Docketing Req.	
<input type="checkbox"/> ELITE	
<input type="checkbox"/> Annuities	

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/069,210	PCT/CA00/00974	24900-501NATL

FORM PCT/DO/EO/905 (371 Formalities Notice)

Attorney Docket No: 24900-501 NATL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: LECLERC, *et al*

U.S. SERIAL

NUMBER: 10/069,210

INTERNATIONAL

FILING DATE: August 22, 2000

FOR: RADIOACTIVELY COATED DEVICE AND METHOD OF MAKING SAME
FOR PREVENTING RESTENOSIS

November 6, 2002
Boston, Massachusetts

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. §371**

In response to the Notification of Missing Requirements Under 35 U.S.C. §371, mailed May 7, 2002, for filing in the above-referenced patent application are the following documents:

- ☒ an executed Combined Declaration and Power of Attorney [8 pgs];
- ☒ two (2) copies of a Petition for Extension of Time [1 page];
- ☒ check # 14591 in the amount of \$460.00 as payment of USPTO fee code 2253 for a three (3) month extension of time as set forth in 37 C.F.R. §1.17(a)(3);
- ☒ a copy of Notification of Missing Requirements; and
- ☒ a Return Postcard.

Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 24900-501 NATL.

11/08/2002 SNAJARRO 00000066 10069210

01 FC:2253

460.00 OP

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529
Michel Morency, Reg. No. 50,183
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Dated: November 6, 2002

TRA 1730737v1